

Randolph Zoning Board of Appeals

August 31, 2016

ZBA08-2016

Jean & Editha Marius

20 Tucker Terrace

Randolph, MA 02368

20 Tucker Terrace

Hearing Minutes

Attendance:

Arnold Rosenthal, Chairman Alexander Costa, Vice Chairman Christopher Spears, Clerk Sean Fontes, and Charles Gordon, Alternate

Chairman Rosenthal opened the hearing at 7:10PM.

Legal Notice was read.

The Randolph Zoning Board of Appeals will hold a Public Hearing on Wednesday, August 31, 2016, at 7:00 P.M. at the Town Hall in accordance with the provisions of M.G.L. Chp. 40A, on the application of Jean and Editha Marius, on property located at 20 Tucker Terrace, Randolph, Massachusetts, to vary the terms of the Zoning By-laws, Section 200-34 Maximum Lot Coverage; Or any other section of the Zoning By-Law applicable to Build a 21' x 21' Addition to the rear of the dwelling.

Premises are located on Assessor's Map as follows:

Map 51, Block C. & Parcel 11.71

Plans may be viewed on the Town Hall Bulletin Board.

Arnold Rosenthal, Chairman

Al Costa, Vice Chairman

ZBA # 08-2016

Publish: August 12, 2016 and August 19, 2016 in the Randolph Herald.

Petitioner presented checks due for the Advertising and Abutters List.

Chairman Rosenthal recognized the petitioner's representative and Survey Engineer Mark Whelan from W.T. Whalen Engineering Co.in North Attleboro, MA 02760.

Mr. Whalen spoke as to what they were looking for was an increase in Lot Coverage. They looked at placing the addition on the side of the house but did not want to seek and additional Variance. The existing Lot Coverage is 34% and with the removal of some Hot Top (Micadom) the new Lot Coverage will only expand to 38%.

Hardship: Son returning home from College and in need of a room.

Public portion:

Public – In Favor:

James Owens – 10 Tucker Terrace – In Favor.

Hugues Stflevr – 22 Tucker Terrace – In Favor

Pierre Chrispin – 15 Tucker Terrace – In Favor
Dale Cadasse – 17 Tucker Terrace – In Favor
Jenner Merald – 13 Green St – In Favor
Josline Malcin – 51 Elderly Dr – In Favor

(I applogize for the spelling of the names of the neighbors)

Public - Apposed: None

Public Portion Closed.

Board Questions:

Sean Fontes – Asked what the distance was to the closest dwelling. Mr. Whalen gave figures as to the boundaries and closest dwellings.

Charles Gordon – Good neighbors and no one apposed. Extra room for Son returning from College.

Chairman requested a Motion.

Motion by Sean Fontes seconded by Christopher Spears.

Motion to Vary the By-Law/Ordinance 200-34 (D) Lot Coverage from 25% to 38%.

Vote:

| | |
|--------------------------------|-----|
| Arnold Rosenthal, Chairman | Yes |
| Alexander Costa, Vice Chairman | Yes |
| Christopher Spears, Clerk | Yes |
| Sean Fontes | Yes |
| Charles Gordon, Alternate | Yes |

By Board Vote of five in favor and zero against. The Motion is granted.

Variance Finding:

permit granting authority specifically finds that owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.

Chairman Rosenthal read the Appeal process from 40A Section 17.

Chairman closed the public hearing at 7:30PM

Filed with the Town Clerk.

Date: _____

John Hill Clerk/Secretary